

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

EMMA C., et al.,

Plaintiffs,

v.

DELAINE EASTIN, et al.,

Defendants.

Case No. 96-cv-04179-TEH

**ORDER SETTING SCHEDULE FOR
BUDGET ALLOCATION PROCESS
FOR FISCAL YEAR 2017–2018**

ALLOCATION PROCESS

A new fiscal year will commence on July 1, 2017. The Court hopes that Defendants will be able to agree upon an equitable allocation for the RSIP implementation budget and the Monitor's Office budget for fiscal year 2017–2018 without intervention from the Court, in light of the guidance provided by this Court's May 14, 2003 Order Re: Initial Allocation (ECF No. 861), and their past successes in reaching agreement. In the event that informal resolution is not possible, however, the Court will make an equitable allocation.

To facilitate conducting the allocation process in a timely manner, the Court sets forth the following schedule:

1. By no later than **Friday, April 21, 2017**, Ravenswood and the Court Monitor shall each submit their respective proposed budgets to the Court and the parties.¹
2. The Defendants shall, as soon as possible thereafter, meet and confer in good faith to seek

¹ The Court recognizes that the future of RSIP implementation and monitoring is uncertain at this time. For purposes of this Order, both Ravenswood and the Court Monitor should assume that the RSIP will continue throughout the next school year, unless some agreement clarifying this is reached by the parties prior to April 21, 2017 deadline. If circumstances change, the Court will make any necessary adjustments to the respective budgets and allocation in the future.

1 an agreement upon an equitable allocation for the fiscal year 2017–2018.

2 3. Defendants shall, by no later than **Friday, May 5, 2017**, file either a joint statement setting
3 forth an agreed upon allocation for fiscal year 2017–2018 or, if no agreement has been reached,
4 email the Court Monitor informing him they have not reached agreement and stating, without
5 argument, the areas of disagreement. The parties shall then participate in a mediation process led
6 by the Court Monitor in order to attempt to resolve these areas of disagreement.

7 4. Defendants shall, by no later than **Friday, May 19, 2017**, file either a joint statement
8 setting forth an agreed upon allocation for fiscal year 2017–2018, or, if no agreement has been
9 reached, separate opening briefs setting forth their respective positions with respect to an
10 appropriate allocation.

11 5. If the parties have not reached agreement, Defendants shall respond to each other's
12 opening briefs by no later than **Friday, June 2, 2017**. If Plaintiffs wish to address this matter,
13 they may file comments responding to Defendants' opening briefs no later than **Friday June 9,**
14 **2017**. The Court shall hold a hearing on budget allocation, if necessary, on **Monday, June 19,**
15 **2017, at 10:00 AM.**

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17 **IT IS SO ORDERED.**

18 Dated: 3/21/17

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20 THELTON E. HENDERSON
21 United States District Judge
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